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January 5, 2024

The Honorable Dale E. Ho
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: 1:23-cv-08575-JPC, Plaintiff's January 5, 2024 Status Letter

Dear Judge Ho:

The James Law Firm, PLLC represents Plaintiff in the above captioned matter.

Plaintiff files this Status Letter in compliance with the Court's November 15, 2023 Order, wherein Plaintiff was directed to file a Status Letter on or before January 5, 2024. [CM/ECF 9].

On September 28, 2023, Plaintiff filed the instant case against John Doe subscriber assigned IP address 71.105.213.163 claiming Defendant's direct infringement of Plaintiff's works through BitTorrent protocol [CM/ECF 1]. Because Defendant is only known to Plaintiff by Defendant's IP address, on October 13, 2023, Plaintiff filed a Motion for Leave to Serve a Third-Party Subpoena ("Motion for Leave") on the Defendant's Internet Service Provider ("ISP"). [CM/ECF 6].

On November 15, 2023, the Court granted Plaintiff's Motion for Leave. [CM/ECF 9]. Plaintiff issued the subpoena on or about November 21, 2023 and, in accordance with the time allowances provided to both the ISP and the Defendant, expects to receive the ISP response on or about March 5, 2024.

Upon receipt of the ISP response, Plaintiff will conduct a further investigation to assist in determining whether the individual identified by the ISP is the appropriate defendant for this action, and, if a good faith basis continues to exist, Plaintiff intends to proceed against that individual (or someone else), amend the Complaint, and place the summons and Amended Complaint with the process server to attempt service of process.

Respectfully Submitted,

By: /s/Jacqueline M. James
Jacqueline M. James, Esq. (1845)

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